

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # 2007-2667-1IT thru 2007-2679-1IT - P

14 December 2007

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

JUDITH M. PASCULLIS et. al.
C/O VITO R. PASCULLIS
744 PITT STREET
MOUNT PLEASANT, SOUTH CAROLINA 29464

for a permit to construct multiple private and community docks on

** See next page*

WARING CREEK and FLOUNDER LAKE

Located off of Highway 165 across from Long Island Road on Yorges Island, Charleston County, South Carolina (32.71255 Latitude/ 80.22285 Longitude)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, JANUARY 14, 2008

from those interested in the activity and whose interests may be affected by the proposed work.

REGULATORY DIVISION

Refer to: P/N # 2007-2667-1IT thru 2007-2679-1IT

14 December 2007

The proposed work consists of the construction of 2 community docks and 11 private docks, listed as follows:

MAJOR
E#: 61406

2007-2667-1IT ^{-P} Community Dock #1: Construction of a 6' X 437' walkway leading to a 20' X 20' fixed pierhead, and a 6' X 60' floating dock attached by a ramp. The purpose is to provide private community recreational water access. Please note that the applicant proposes to construct another walkway over wetlands from Lot 4 and Lot 5 to uplands. This 6' X 396' walkway is considered a bridge and is not subject to a Department of the Army permit; however, it is subject to the permitting authority of the South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management and may be subject to the permitting authority of the U.S. Coast Guard. This community dock is located on Waring Creek.

MINOR
#W1580

2007-2668-1IT ^{-P} Lot #5 Private Dock: Construction of a 4' X 787' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #5 with private recreational water access. This private dock is located on Waring Creek.

MINOR
#W1581

2007-2669-1IT ^{-P} Lot #6 Private Dock: Construction of a 4' X 489' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #6 with private recreational water access. This private dock is located on Waring Creek.

MINOR
#W1582

2007-2670-1IT ^{-P} Lot #7 Private Dock: Construction of a 4' X 50' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #7 with private recreational water access. This private dock is located on Flounder Lake.

MINOR
#W1583

2007-2671-1IT ^{-P} Lot #8 Private Dock: Construction of a 4' X 50' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #8 with private recreational water access. This private dock is located on Flounder Lake.

MAJOR
#W1584

2007-2672-1IT ^{-P} Community Dock #2: Construction of a 5' X 30' walkway to an 8' X 40' fixed pierhead. The purpose is to provide private community recreational water access. The private community dock is located on Flounder Lake.

MINOR
#W1585

2007-2673-1IT ^{-P} Lot #9 Private Dock: Construction of a 4' X 40' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #9 with private recreational water access. The private dock is located on Flounder Lake.

MINOR
#W1586

2007-2674-1IT ^{-P} Lot #10 Private Dock: Construction of a 4' X 44' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #10 with private recreational water access. The private dock is located on Flounder Lake.

MINOR
#W1587

2007-2675-1IT ^{-P} Lot #11 Private Dock: Construction of a 4' X 59' walkway to a 12' X 18' pier head. The purpose is to provide Lot #11 with private recreational water access. The private dock is located on Flounder Lake.

REGULATORY DIVISION

14 December 2007

Refer to: P/N # 2007-2667-1IT thru 2007-2679-1IT

- minor** **2007-2676-1IT**^P Lot #12 Private Dock: Construction of a 4' X 150' walkway to a 12' X 18' pierhead. The purpose is to provide Lot #12 with private recreational water access. The private dock is located on Flounder Lake.
#W1588
- minor** **2007-2677-1IT**^P Lot #13 Private Dock: Construction of a 4' X 217' walkway to a 12' X 18' pierhead. The purpose is to provide Lot #13 with private recreational water access. The private dock is located on Flounder Lake.
#W1589
- minor** **2007-2678-1IT**^P Lot #14 Private Dock: Construction of a 4' X 85' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #14 with private recreational water access. The private dock is located on Flounder Lake.
#W1590
- major** **2007-2679-1IT**^P Lot #15 Private Dock: Construction of a 4' X 278' walkway to a 12' X 18' pierhead. The purpose is to provide Lot #15 with private recreational water access. The private dock is located on Flounder Lake. Please note that the applicant proposes to construct a 10' wide X 318' wood bridge from the mainland portion of the property to the 1.259 acre island of Lot #15. The construction of a bridge is not subject to a Department of the Army permit; however, it is subject to the permitting authority of the South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management and may be subject to the permitting authority of the U.S. Coast Guard.
#W1591

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

REGULATORY DIVISION

Refer to: P/N # 2007-2667-1IT thru 2007-2679-1IT

14 December 2007

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 7000 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among

REGULATORY DIVISION

14 December 2007

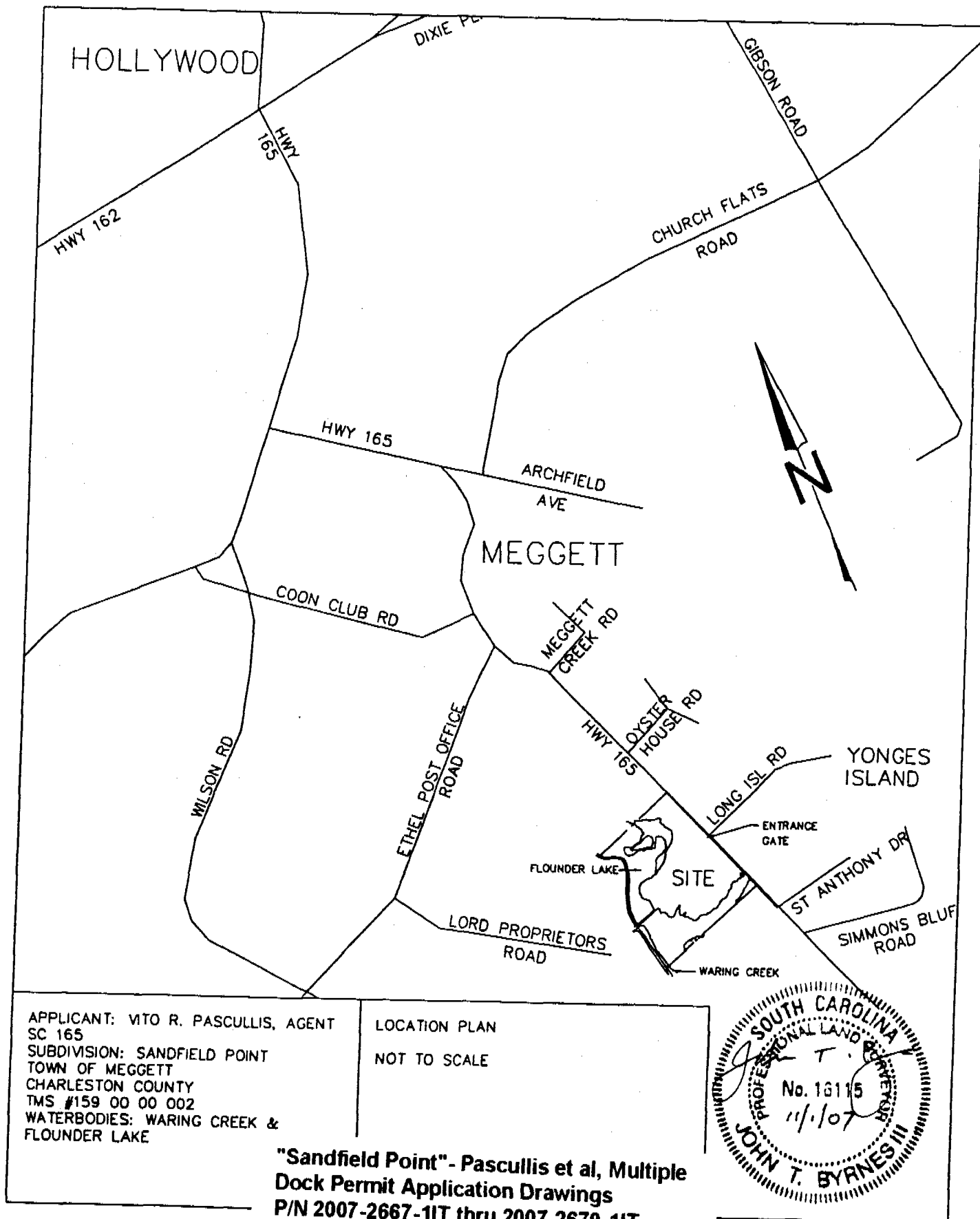
Refer to: P/N # 2007-2667-1IT thru 2007-2679-1IT

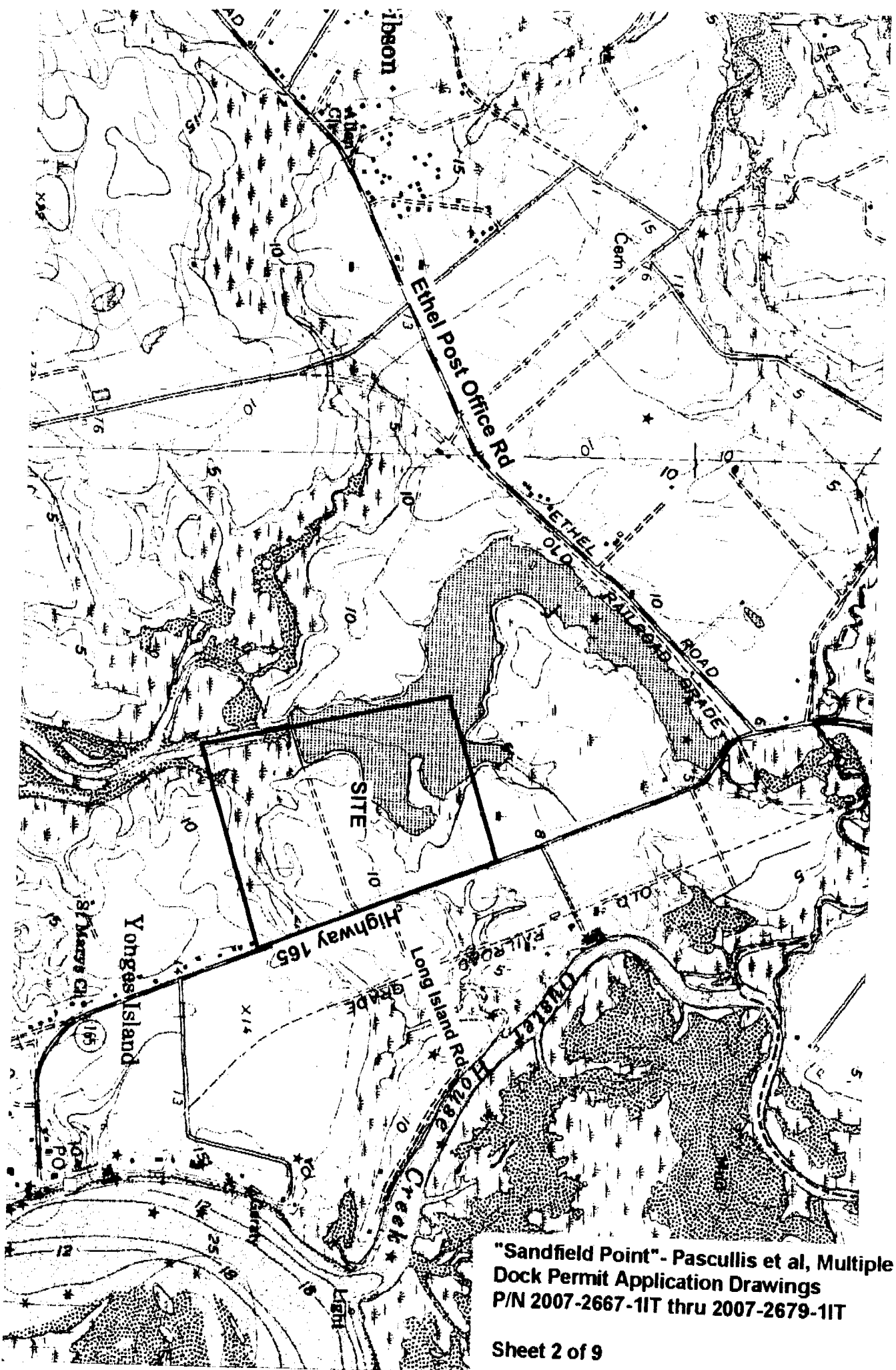
those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

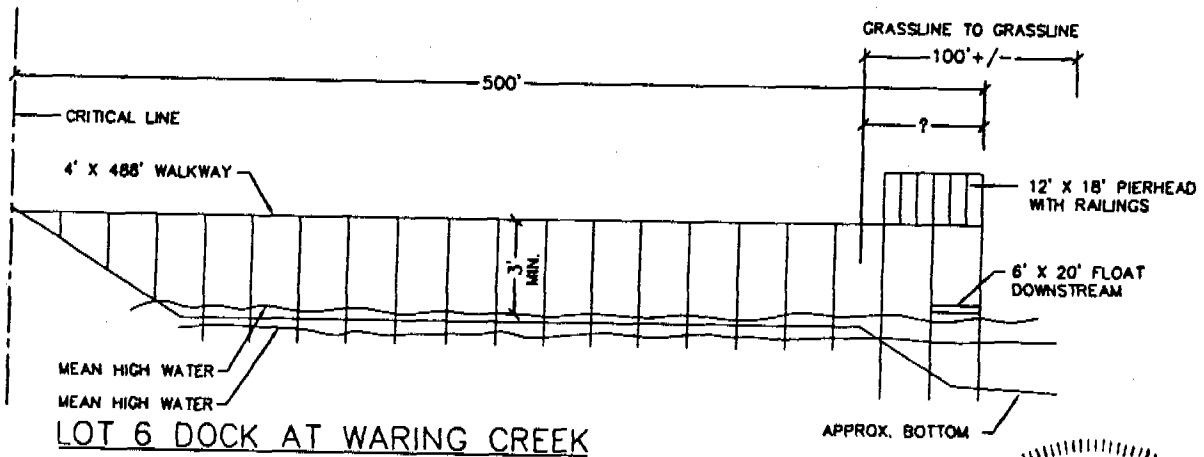
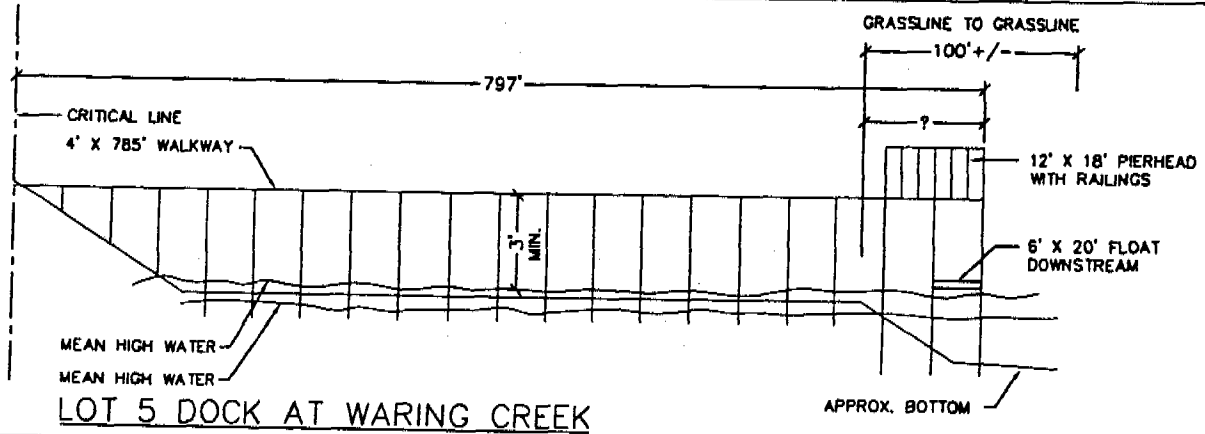
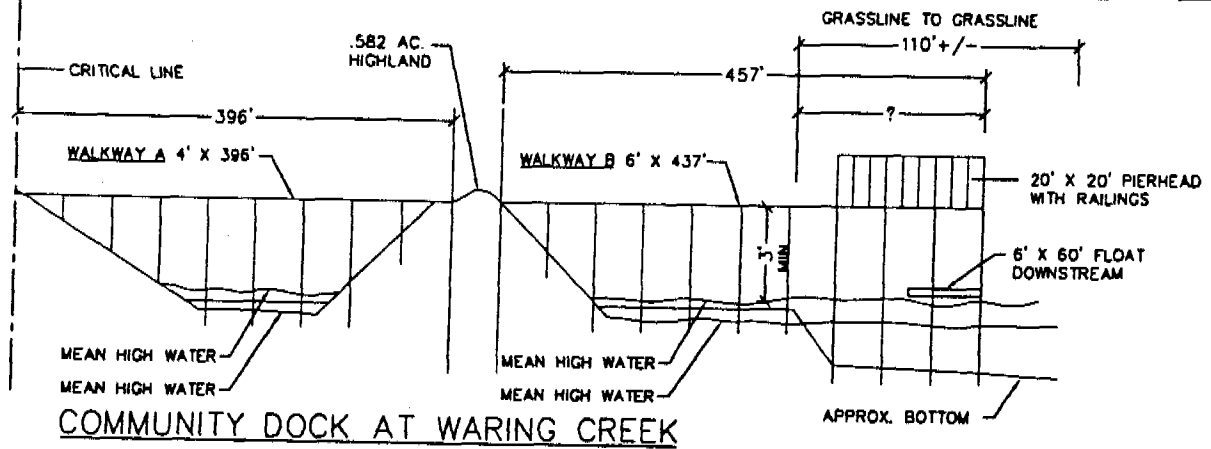
If there are any questions concerning this public notice, please contact Tracy C. Dotolo at 843-329-8044 or toll free at 1-866-329-8187.

Steve Brooks
Project Manager
SCDHEC-OCRM
843-953-0235





"Sandfield Point"- Pascullis et al, Multiple
Dock Permit Application Drawings
P/N 2007-2667-11T thru 2007-2679-11T



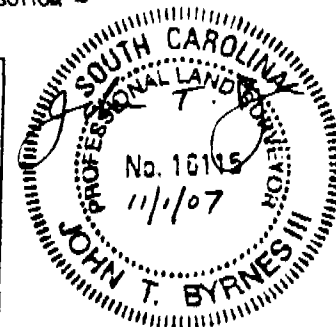
APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: WARING CREEK

PRIVATE RECREATIONAL
COMMUNITY DOCK AT WARING CREEK
PRIVATE RECREATIONAL DOCK - LOT 5
PRIVATE RECREATIONAL DOCK - LOT 6

NOT TO SCALE

OCRM DOCK

**"Sandfield Point" - Pascullis et al, Multiple
Dock Permit Application Drawings
P/N 2007-2667-1IT thru 2007-2679-1IT**





PROPERTY LINE IS
CENTERLINE OF
FORMER CREEK

LOT 10 DOCK CONSISTS OF A 4'x44'
WALKWAY & 12'x18' PIERHEAD

LOT 9 DOCK CONSISTS
OF A 4'x40' WALKWAY
& 12'x18' PIERHEAD

LAKE COMMUNITY DOCK
CONSISTS OF A 5'x30'
WALKWAY & 8'x40' PIERHEAD

LOT 8 DOCK
CONSISTS OF A
4'x50' WALKWAY
& 12'x18'
PIERHEAD

LOT 7 DOCK
CONSISTS OF A 4'x50'
WALKWAY & 12'x18'
PIERHEAD

PROPERTY LINE IS
CENTERLINE OF
FORMER CREEK

DIKE

LOT 8

LOT 7

LOT 9

MHW

CRITICAL LINE

LAKE

PRIVATE ROAD

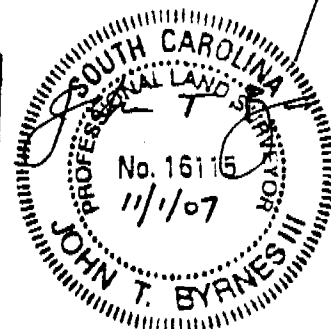
APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL COMMUNITY
DOCK AT LAKE
PRIVATE REC. CRABDOCK AT LOT 7
PRIVATE REC. CRABDOCK AT LOT 8
PRIVATE REC. CRABDOCK AT LOT 9

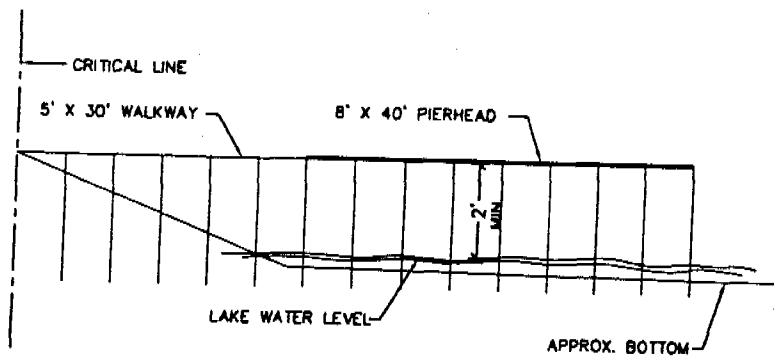
SCALE: 1" = 150'



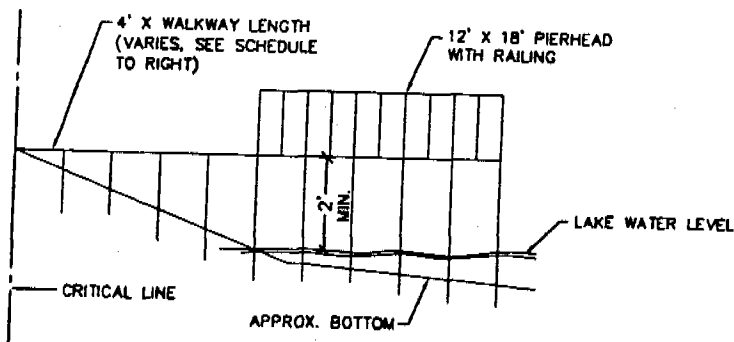
PAGE 8



'Sandfield Point'- Pascullis et al, Multiple
Dock Permit Application Drawings
P/N 2007-2667-1IT thru 2007-2679-1IT



COMMUNITY DOCK AT LAKE



WALKWAY LENGTH

WALKWAY AT LOT 7: 20'

WALKWAY AT LOT 8: 20'

WALKWAY AT LOT 9: 40'

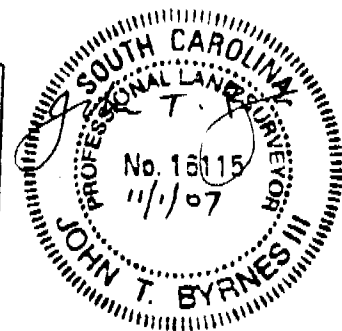
PRIVATE RECREATIONAL CRAB DOCKS AT LAKE
FOR LOTS 7, 8, AND 9

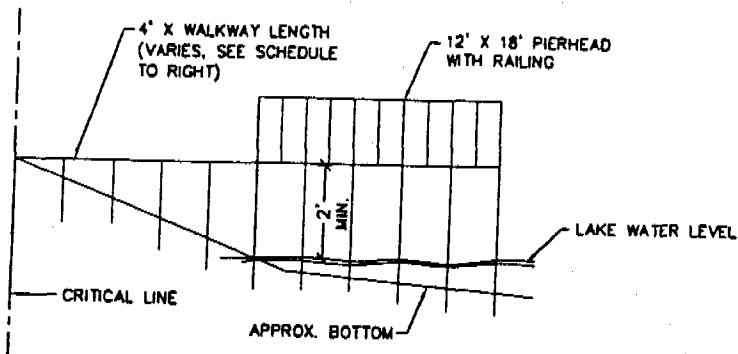
APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL COMMUNITY DOCK
AT LAKE

PRIVATE RECREATIONAL CRAB DOCKS
AT LOTS 7, 8, AND 9

NOT TO SCALE

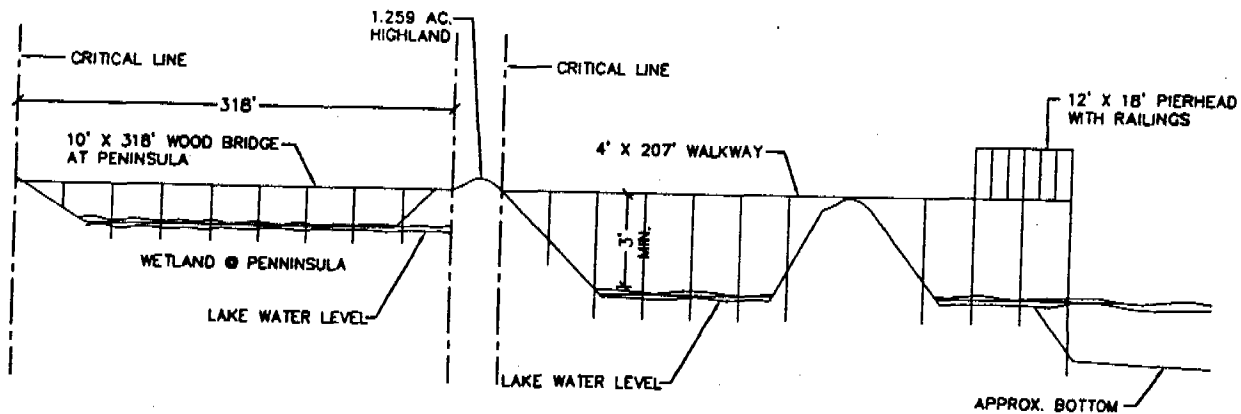




WALKWAY LENGTH

WALKWAY AT LOT 10:	44'
WALKWAY AT LOT 11:	70'
WALKWAY AT LOT 12:	150'
WALKWAY AT LOT 13:	217'
WALKWAY AT LOT 14:	85'

PRIVATE RECREATIONAL CRAB DOCKS AT LAKE
FOR LOTS 10, 11, 12, 13, & 14



PENINSULA WOOD BRIDGE
AT LOT 15

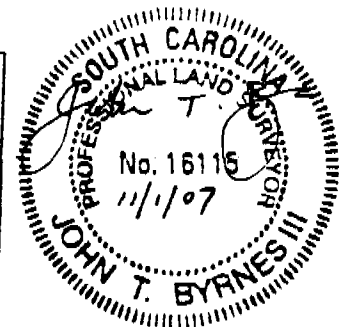
DOCK AT LAKE
AT LOT 15

APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL CRAB DOCKS
AT LOTS 10-14

PRIVATE 10'X318' PENINSULA WOOD
BRIDGE AT LOT 15

PRIVATE REC. LAKE DOCK AT LOT 15



NOT TO SCALE